GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:105
ANSWERED ON:26.02.2008
GUJARAT CONTROL OF ORGANISED CRIME BILL,2003
Pathak Shri Harin

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Gujarat Control of Organised Crime Bill, 2003 is still awaiting the approval of the Union Government;

(b) if so, the details thereof indicating therein the hurdles in the approval of this Bill;

(c) whether the Government has also received similar type of bills from other States;

(d) if so, the details thereof indicating the names of the States;

(e) the status of those Bills; and

(f) the time by when these bills, including Gujarat Control of Organised Crime Bill are likely to be cleared?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V. RADHIKA SELVI)

(a): Yes, Sir.

(b) to (f): The Bills, relating to control of organized crime which have been received from other States and the status of the same are as under:

1.	The Rajasthan Control of Organised Crime Bill, 2006.	The Bill was received in this Ministry on 10.03.2006 for approval of the Government of India before its introduction in the State Legislature. Observations of Department ofTelecommunications and Department of Revenue were sent to State Government for clarifications on 21.8.2007.
2.	The Andhra Pradesh Control of Organised Crime Bill, 2006.	The Bill was received in this Ministry on 31.01.2007 for approval of the Government of India before its introduction in the State Legislature. Observations of Department of Telecommunications and Department of Information Technology were sent to State Government for clarifications on 26.12.2007
3.	The Madhya Pradesh Aatank Vadi Evam Uchhedak Gatividhiyan Tatha Sangathith Apardh Niyantran Vidheyak, 2007.	The Bill has been received in this Ministry on 04.02.2008 for approval of the Government of India before its introduction in the State Legislature. Comments have been invited from Ministries of Communication and Information Technology (Department of Telecommunications and Department of Information Technology); Information and Broadcasting; Law and Justice (Legislative Department and Department of Justice); and other Divisions of this Ministry on 7.2.2008.

The State Legislations are examined from three angles viz.

(i) repugnancy with Central Laws

(ii) deviation from National or Central Policy and

(iii) legal and Constitutional validity.

In the case of Gujarat Control of Organised Crime Bill, 2003 and other Bills listed above there are policy and legal issues, which need to be sorted out and therefore, no time- frame can be fixed for achieving the same.